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being sufficiently small so as not to affect the minimum predetermined wall thickness such that the non-uniformity does not significantly impact or interfere with the desired wall thickness.

### REMARKS

The Examiner is respectfully requested to enter this preliminary amendment prior to examination of the above-identified continued prosecution application and consider the following remarks. In accordance with the Examiner's comments in the Office Action mailed June 13, 2001, Claim 36 has been amended in accordance with language that finds support in the specification at page 7, lines 14-17 in that the amended claim uses the same language as the specification. In the above-identified Office Action, in response to the Amendment C dated March 26, 2001, the Examiner maintained and made final the rejection of claims 24-26, 36 and 39. Independent claims 24 and 36 as amended, and claims 25-26, and 39, depending therefrom are neither disclosed nor suggested by the references or any suggested combination thereof. Thus these claims are considered to be in allowable form.

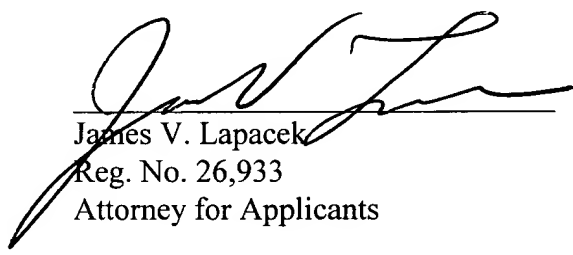
Specifically, claim 36, as amended now recites the non-uniformity being sufficiently small so as not to affect the minimum predetermined wall thickness such that the non-uniformity does not significantly impact or interfere with the desired wall thickness. The concern with the non-uniformity that is critical to applicants' invention is not addressed or suggested by the Brown et al reference which merely relates to the general uniformity of winding so as to avoid gaps between adjacent winding turns. This neither discloses nor suggests applicants' claimed concept as recited in claim 36, as amended. Thus, claim 36, as amended, and claim 39 depending therefrom are allowable, claim 39 additionally reciting the winding of a second fiber over the first fiber.

Concerning the rejection of claims 24-26, the Examiner broadly concludes that the use of melamine in the Tobin reference directed only to molded tubes without fibrous material in the inner arc-quenching layer thereof suggests the use of melamine for a fuse tube fabricated via wound filamentous fiber, e.g. in the fuse tube of the Brown et al reference. The Examiner points out various sections of the Tobin reference (assigned to the assignee of the instant application). However, none of these citations in any way suggest the use of melamine in a wound fuse tube. Thus, the fuse tube recited in claim 24 is neither disclosed nor suggested by the prior art, taken either singly or in any combination thereof and claim 24 is considered to be allowable. Similarly, claims 25 and 26,

depending from claim 24 are considered to be in a condition for allowance, the dependent claims more distinctly pointing out applicants' invention.

Accordingly, claims 24-26, 36 and 39, as amended, are considered to patentably distinguish over the cited reference, and these claims and this application are considered to be in a condition for allowance. Entry of the present amendment and a favorable action to that end and allowance of this application by the Examiner are respectfully requested. This amendment is believed to be in allowable form. If the Examiner feels that clarification of any issue or comment herein would be helpful to facilitate prosecution of this application, the Examiner is respectfully requested to contact the undersigned attorney at the number listed below for a telephonic interview or to arrange a personal interview.

Respectfully submitted,



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## ATTACHMENT TO PRELIMINARY AMENDMENT D

**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

Amended claim 36:

36. (thrice amended) A method of fabricating an arc-quenching tube via the winding of a first fiber in one or more winding passes, the method comprising winding the arc-quenching tube such that the first fiber lays flat and does not overlap in each of the one or more winding passes whereby uniformity is achieved in the thickness of the tube, the method further comprising forming a predetermined taper within the arc-quenching tube wherein the predetermined taper defines a minimum predetermined wall thickness of the tube, the uniformity being such that variations in the thickness of the tube are significantly less than the minimum predetermined wall thickness [so as not to affect the minimum predetermined wall thickness], the non-uniformity being sufficiently small so as not to affect the minimum predetermined wall thickness such that the non-uniformity does not significantly impact or interfere with the desired wall thickness.